

In the Matter of Annual Assessment of the Status of MB Docket No. 12-203
Competition in the Market for the Delivery of Video Programming


COMMENTS OF: Denver Open Media/Open Media Foundation

Denver Open Media/Open Media Foundation submits these comments in response to the above captioned Notice of Inquiry ("NOI"), released July 20, 2012, seeking "data, information, and comment on the state of competition in the delivery of video programming." Denver Open Media/Open Media Foundation is an independent non-profit 501(c)(3) organization that runs the community media center for the municipality of Denver, Colorado. We are dedicated to providing the base necessities for functioning community media – physical space, staff, up-to-date equipment, broad multimedia training and service to nonprofit organizations on our community.

1. Comcast provides three cable channels for use by DOM.
2. These channels are placed on the lowest tier of cable provided. If residents only have analog television sets they require a digital converter box to receive this basic service.
3. There are more channels carried since June of 2010.
4. Our provider does allow for distribution of our programming schedule on the system's on-screen program guide, however we are only allowed to use A-list and do not have the staff capacity to provide continuous up-to-date scheduling information. In order to provide full details, we would need access to the X-list via TV Guide's Rovi system. For detailed scheduling information residents must navigate to our website to view our programming schedule.
5. We are not in an AT&T U-Verse community.
6. There is currently no operational funds available to run Denver's PEG channels. In 1984, Mile Hi Cablevision inked a fifteen-year agreement to supply cable service to Denver, and as part of that pact, the firm agreed to create eight public, education and government -- or PEG - access channels. In the years that followed, the franchise has skipped around. Mile Hi was purchased by TCI Inc. in 1993; six years later, in 1999, TCI merged with AT&T to form AT&T Broadband, which signed a new franchise pact with Denver in 1999 before being subsumed by Comcast in 2002. The 1999 document differed from its predecessor in that the franchise holder was required only to fund "capital equipment" over the length of the contract, which expires on the last day of 2009. As for its commitment to operating expenses, it diminished from around \$500,000 per annum to \$170,000 in 2004, then vanished entirely.

After operational funds vanished, the existing public access station, DCTV, was closed down. The city issued a RFP for a new entity to manage the facilities without operational funding. Open Media Foundation (OMF) was awarded the contract to manage Public Access Channels, 56, 57, 219 and the new community media center was called Denver Open Media. OMF agreed to develop new model without operational support by leveraging their existing non-profit revenue to support minimal staffing, by creating new revenue streams: class and membership fees, equipment rentals, productions services, web development and finally by creating user-automated tools using Web 2.0 technology to decrease dependency on staff. PEG programming has grown in utilization, viewership, relevance, variety, and quality. We have seen consistent improvements across the board for the last five years.

We have embraced the concept of our PEG center as a community media center. Modern television is not limited to the parameters which defined it only a short time ago. A modern community media center needs to embrace all forms of multimedia production and support for that should be provided by similar revenues to fund this public good as generated by internet providers and traffic over those same public lines.

A handwritten signature in black ink, appearing to read 'Ann Theis', is positioned above a horizontal line.

Ann Theis
Station Director
Denver Open Media/Open Media Foundation
9/10/12